G. R. S. App. F. IX-4]

Previous References.

1943-44 (War)

W File No. 7-43

Serial Nos. 1 to 6.

Later References.

PZO

GENERAL AND REVENUE SECRETARIAT

Serial Nos. ~~four~~ Six only

Part B for ~~September~~ October. 1943.

SUBJECT.

Census of bungalows for billetting.

V. M. Krishnan. 16.X.43.

116/W

Billeting.

Continuation Sheet. | W | File No. / Current No. | 7 of 43 | Page.

From The Secretary to Govt of Mysore to Revenue Department.

F. 22-43/W dated 7th August 43 forwarding a copy of memorandum from Govt of India Qrs No. Billeting and requesting the Co-operation of this Govt by issuing an order similar to that now issued in the C of M Sh. in respect of bungalows situated in Bangalore city occupied by Europeans

(1) It is stated that it is NOT proposed to billet military personnel on other than European Householders and what is desired Now is to examine bungalows occupied by Europeans in Bangalore city with a view to the possibility of billeting in the future. The Co-operation of this Govt is requested by issuing an order on the lines issued by the Collr of M Sh. in respect of bungalows situated in the city. The Collr has issued the order in exercise of the powers under Rule 75 A read with Rule 127 of the Defence of India Rules. Powers has been delegated to the DCs of Dists both under Rule 75 A + 127 of the Defence of India Rules as applied to Mysore. The Collr has authorised a number of M Is Forces, acting as the Court of Inquiry's Billeting Officers, to enter and inspect any land or building situated in the C of M Sh. It is for consideration whether a similar order authorising the same Officers, may be issued by the DC Bangalore.

(2) The other suggestion of the Residency is to give a general permission for such Officers as are Nominated by the Collr to enter such houses for the purpose

of surveying the house.

(3) If P.U.S. sets out of the first alternative is approved, ~~applications~~ (i.e. by issuing an order similar to the one issued by the C. of M.Sta.) applications for billeting will be made to this Govt. with specific recommendations in each case.

Powers have not been delegated to the D.C.S. under Rule 50 C (Billeting). The Govt. have to issue the order for billeting. Regarding authorising other offices (not belonging to this Govt.) powers have been previously delegated to the Commissioners of Prisons & other Camps under Rule 6. Action for issue of such orders.

(4) The D.C. may perhaps be consulted. Instead of authorising a military officer, the D.C. or the S.D.O. may go to the preliminary inspection, if need be, in company with the military officer to be deputed for the purpose.

13/7

13/7

(5) The Rev. Com. (and Civil Rep.) may be consulted M.O.[illegible] & urgently.

W 17/7/43

21.0.29.113/17.7.43

Urgent.

(6) Forwarded with compliments for the Revenue Commissioners. Report for favour of remarks.

17/7

WD 1140—GPB—50,000—5-11-42

OFFICE OF THE REVENUE COMMISSIONERS No. 19 20 JULY 1943

 WD 0147I—GPB—2,250—5-2-41

Office of the Revenue Commissioner in Mysore.

File No . *of 194* .

SUBJECT IN BRIEF

Rev
Govt
* 23.
Govt

Received on.....
From.....
Worked up and submitted on.....

No. C.L.O. 30 / 43-44 Encs.

Notes and Orders

1) Returned with Correspondence.
It seems to me that neither of the Courses suggested in para 5 of the Residency letter is advisable or appropriate. I venture to suggest that the power may be delegated to the Civil officer Bangalore and to his assistant, viz, the Amildar on Special duty under him. These officers would invariably accompany the billeting officers designated by the Military authorities.
I think that the arrangement ought to work smoothly.

RC. 2677/43

2) Submitted for perusal and orders with reference to Chief Secy's minute in Para 5 supra.

9) Action as at A may

Note.—Contn. Sheet.

RS 2617

116
W

may also be informed accordingly

Lr 26/7

following Secy)

670

10) The Revd have suggested in this connection —

a) that we might issue an Order similar to the one issued by the Collector C & M Station, authorising Specified officers (being members of H.M.'s Forces) as Billeting officers to enter & inspect any building within the C & M Station area; or

b) that we might give a general permission to such officers as may be nominated by the Collector C & M Station, to enter such houses for surveying them.

11) I think that an order may be issued by the Govt. appointing the Civil Officer & his Assistant, as Billeting officer (for purposes of entry, inspection & surveying only) & by requiring him to work in close collaboration with the officer to be designated by the military authorities for the purpose.

Min Edn

& Dewan

(Sd) Lr 3/8

WCP 2/8/43

Secy 3/8

12). A reply to the Revenue may be sent being

Revenue 5/8/43

XXX WCP

14) Secy and exit. A draft as suggested is enclosed. See 5/8/43. Order with key papers.

Secy 6/8 15) Issue & submit with draft Order.

Chief Secy)

WCP 6/8/43

OFFICE OF THE MINISTER FOR EDUCATION
Date.....3/8/43
No.....66 Ge.

may also be informed accordingly as an instruction to Dewan

(6) ... under Rule ... the Defence ... Indian Stamp Act 1899 provides ... requisitioning of property ... and the powers of ending and ... provided for ... Rule ... exercised with ... determining in ... Rule is to be ...

... Rules, 1917 is general. ... Provincial Government ... Government ... determine ... under the ... Defence of India Rules 1915 ... Government.

... proposal is ... complaint ... civil officer ... on his ... on the Billing officer ... give him

3476
N

Continuation Sheet. File No. / Current No. of Page.

the powers of entry and inspection of the premises concerned.

Regulation 6 of the Defence (Finance) Regulations provides for billeting and under clause 2(2)(b) thereof a court may [illegible] order requiring the occupier of any premises to furnish information with respect to the accommodation therein and to allow persons authorised as may be specified.

17). Although order is sought for consideration, it is submitted that the number of occupiers of the premises [illegible] the limits of the application [illegible] information under Regulation 6 to the civil officers and his assistants [illegible] Regulation 6(2) to enter and inspect premises.

It is submitted for orders

5C
9/6/43

346 / W. 1283/43 P 643 Billeting

Continuation Sheet. File No. / Current No. of Page.

18) Draft reminder is for alteration to Rule 198 of Reg 71 (Min Edn) WO 12/8/43

Rule 127 refers to inspection mainly on land – Does land include premises. Rule 50 C, refers to premises –

13/8

for decision of Admiralty

Town & Country Land Act

Under § 2 of the General Clauses Act 'Land' is defined as including buildings

So Reg 127 is unnecessary unless it is the intention to include premises, which evidently it is, then R 127 is not applicable. We see that Rules 50 A & 50 B deal with lands, while Rule 50 C deals with premises as distinct from lands. No reference is made in Rule 127 to

11. AUG 1943

Date 13.8.43
No. 873

premises

Cus
14-8-43

Bd Secy
Rev
Rc

3
14/8/43

1283

1 Rule 50 C. may be amended to enable provide for this. The draft Notification is amended & a new draft is attached.

16/8/43

Secy Rev

Law Secy

3
16/8/43

L.O. R 14.
17.8.43

The drafts are in order.

Law Secy

Cus 18-8-43

for Advt.

Min Ed

WD 23/8/43

WD

25/8/43

24/8/43
1097.

27/8/43

WD

28/8/43

SECY. 16 1683 3 GOVT OF MYSORE

L & R E W.B.R. 3

SECY. LAW DEPT 16 1750 43 GOVT OF MYSORE

CHIEF 19 AUG. 1943

CHIEF SECRETARY 28 AUG. 1943 GOVT. OF MYSORE

3 Issued No. WHHH dy 30.8.43 to the Compiler, for publishing certain further amendments to Rule 50 C of the Defence of India Rules.

4 Issued G.O. No. WHH5 dy 30.8.43 to the D.M. Blore authorising the C.O. Blore & his Asst to accompany the billeting officers designated by the military authorities.

5 From the Secy to the Govt of Mysore in Rev Dept
F. 2243/43 dt 16th Sept 43 requesting that action may be taken in the matter in the choice of appointing a Billeting Officer

This refers to the order issued authorising the Civil Officer or his Asst to enter premises. Govt desired to know whether a similar order may be sent to the Resy for information in regd

(A) memo dated.
2493/43

Chief Secy
dy ~~XXXX~~ WO
27/9/43

Govt with a draft to the Resy
28/9

6) Issued Pl. 683 dt 1st Oct. 43 to the Resy.

718 20 SEP 19 OF MYSORE

718 20 SEP 19 OF MYSORE

GEN.

Subd for perusal in the first instance — CONFIDENTIAL.

The reply to this communication should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

Min Edn & Dewan 9/7/43

No. F.22-43/W. Encls. 2

116

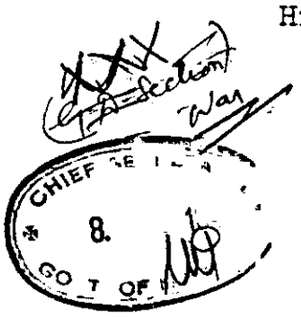
W. 7-43-1.

FROM

THE SECRETARY TO THE HON'BLE THE RESIDENT IN MYSORE.

To

The Chief Secretary to the Government of
His Highness the Maharaja of
Mysore, Bangalore.



Dated Bangalore, the 7th July 1943.

BILLETING.

SIR,

I am directed to forward for information a copy of a memorandum from General Headquarters, India, No.75725/Q3, dated the 11th January 1943, with enclosures.

2. Headquarters, 160 L of C Sub Area, state that the lack of accommodation for officers in Bangalore is reaching a stage when it may be necessary to use the power of billeting under Rule 50C of the Defence of India Rules, and that with this object in view, an Accommodation Committee has been set up by Headquarters, Southern Army.

3. The military authorities explain that it is not proposed to billet military personnel on other than European house holders, and that it is not their intention to introduce billeting of military officers on civilians living in Bangalore until such time as all existing government leased or requisitioned bungalows have been filled to capacity. All that they now desire is to examine bungalows occupied by Europeans both in and outside the limits of the Civil and Military Station, with a view to the possibility of billeting in the future. The number of bungalows outside the limits of the Civil and Military Station is not large and it is considered only fair that Europeans living on one side of the road e.g. Millers Road should not be exempt from sharing the onus of billeting merely because they happen to live across the border line.

4. The Collector, Civil and Military Station, Bangalore has issued an order authorising billeting officers appointed by the military authorities to enter and inspect bungalows situated in the Station. A copy of the order is enclosed.

5. I am to request that the Government of Mysore will kindly cooperate in the matter. This might be done by issuing a similar order in respect of bungalows situated in Bangalore outside the limits of the Civil and Military Station, or by giving a general permission for such officers as are nominated by the Collector to enter such houses for the purpose of surveying the house. The effect of this would be, it is considered, equally efficacious since such tenants would know that it would be useless to protest to the Mysore Government or City Municipality while it would have the advantage of avoiding direct action under the Mysore Defence Rules.

6. When the military authorities have made a census of all available accommodation, applications for billeting will be made

to the Government of Mysore with specific recommendations in each case, if the first alternative above is approved.

7. The favour of a very early reply is requested.

I have the honour to be,
Sir,
Your most obedient servant,

SECRETARY TO THE RESIDENT.

"Copy"

Office of the Collector,
Civil & Military Station,
Bangalore Dated 8 JUNE 1943.

O R D E R.

In exercise of the powers delegated to me under Rule 75A of the Defence of India Rules, read with Rule 127 of the said Rules I, F.W.A.Morris, Esq., I.C.S., Collector, Civil and Military Station, Bangalore, hereby authorise a member of His Majesty's Forces, acting in the course of his duties as Billeting Officer, to enter and inspect any land or building situated in the Civil and Military Station, Bangalore. The owner or occupier of any land or building to be inspected by the said Officer is requested to afford him all facilities and assistance, to enable him to carry out his duty. Failure to comply with this request will result in prosecution under the Defence of India Act and Rules

Sd/- F.W.A. MORRIS,
Collector.

Copy of G.H.Q. India letter No.75725/Q3 dated 11th January 1943.

BILLETING.

*Government of India War Dept. letter No.75725/Q3, dated 21-12-43.

2. Govt. of India Defence Dept. Notification No. 1346-OR/42 dated 2-1-43.

*Forwarded.

2. Army/Command/Corps Commanders are hereby authorised to approach Provincial Government in cases, where billeting is considered necessary in areas other than cantonments.

3. As regards Cantonments, please see attached Government of India, Defence Dept. Notification No. 1346-OR/42 dated 2-1-43.

Sd/- x x x x x x Col.,
for Q.M.G. in India.

CONFIDENTIAL.

GAZETTE OF INDIA GOVERNMENT OF INDIA DEFENCE DEPARTMENT
NEW DELHI, the 2nd January 1943.

NOTIFICATION.

No.1346-OR/42.- In exercise of the powers conferred by sub Section (4) of Section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the powers conferred on it by rule 50C of the Defence of India Rules shall, in respect of a cantonment area, be exercisable also by the "Officer Commanding the Station" as defined in section 2 of the Cantonment Act, 1924, (II of 1924).

Sd. C.macl.G.Ogilvie.
Secretary to the Government of India.

CONFIDENTIAL.

Regr.No.10072-W.6

No.75725/Q-3
Govt. of India War Deptt.(Army Branch),
New Delhi, the 21st December 1942.

Sir,

In pursuance of the provisions of late Defence Co-ordination Department letter No.1346-OR/42 dated the 29th June 1942, I am directed to say that Army/Command/Corps Commanders have been authorised to approach Provincial Governments with a view to the latter exercising their powers under Defence of India Rule 50C-Billeting- in areas other than cantonments.

2. The Government of India do not consider billeting of military personnel on Indian households a practical proposition and desire to make it clear that billeting on European households only is contemplated at present.

3. Provincial Governments should make the necessary payments and charge the Defence Estimates through the exchange accounts. At places other than operational areas the occupiers of houses should be asked to provide only unfurnished accommodation and not other facilities which can be left to mutual arrangements.

Sd.
Under Secy. to the Govt. of India.

Appendix F G—1]

SUBJECT ..... Billeting .....

.....

.....

Section War

File No. P-43

Serial No. 2.

Diary No. of letter replied to.....

No. Pol-274

To

The Secy to the Govt of

the Revenue Dept

General and Revenue Secretariat

( )

the *19* .

Sir,

Date of issue 6.8.43

With reference to your letter No F 22-43/P dt 7-7-43 on the above subject, I am directed to state that Govt propose to issue an order approving the civil officers Bangalore and his assistant as billeting officer for purposes of entry, inspection and requisitioning only, of the buildings situated in Bangalore

Signed by Mr M V Acharya

List of enclosures.....

Copied by .....

Examined by .....

outside the limits of

I have to add that

the C & M stations, ~~the~~

instructions will be issued to the

Billeting officer to approached

~~with his~~ requisitioning him to work.

in close collaboration with

the officers ~~to be~~ designated

(for the purpose

by the military authorities. ~~This~~

~~To be supplied~~.

I remain.

MD 6/8/43

Chief Secty

Memo no 2211/6-843

Mem 5/8

Copy to C.R.

CONFIDENTIAL

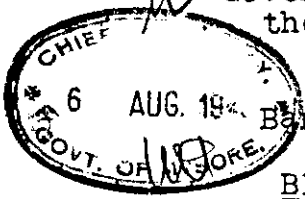
No.F.22-43/W. 346 W

From

The Secretary to the Hon'ble the Resident in Mysore.

To

The Chief Secretary to the Government of His Highness the Maharaja of Mysore, Bangalore.



Bangalore, 5th August 1943.

BILLETING.

Sir,

I am directed to refer to my letter No.F.22-43/W, dated the 7th July 1943, and to request the favour of an early reply.

I have the honour to be,
Sir,
Your most obedient servant,

Reply sent on 6/8/43. SG.

for SECRETARY TO THE RESIDENT.

MAP.

W.7-43-3

No.W.444/W.7-43-3 dt 20-8-43

NOTIFICATION

In exercise of the powers conferred by Section 2 of the Defence of India Act 1939 (XXXV of 1939), as applied to Mysore, the Government of His Highness the Maharaja are pleased to direct that the following further amendment shall be made in the Defence of India Rules, as in force in Mysore, namely:-

After sub-rule (5) of rule 50C of the said Rules the following sub-rule shall be inserted "(5A) The Government may authorise any person to enter and inspect any premises for the purpose of determing whether, and, if so, in what manner, any of the powers conferred by this rule shall be exercised in relation to such premises".

By Order,

WD 23/8/43

Chief Secretary to Govt.

To

The Compiler, Mysore Gazette, for publication.

W 7-43-4.

NOW445/W.7-43-4 dt 30-8-43

ORDER.

amdt. rule 5(1) & Rule 50(c)

Under ~~Rule 127~~ of the Defence of India Rules, as in force in Mysore, the Government of His Highness the Maharaja are pleased to authorise the Civil Officer, Bangalore and his Assistant to enter and inspect any ~~land (or premises)~~ premises within the Municipal limits of ~~the~~ Bangalore City for the purpose of determining whether, and if so, in what manner, any of the powers conferred by Rule 50C. ~~of the said Rules~~ in relation to Khadi Board shall be exercised. the premises

To be published in the Gazette under R 127 A 14.6.43

WD

12/8/43

Chief Secretary to Government.

Jr 10/8

To the District Magistrate, Bangalore, with a copy of Residency letter dated the 7th July 1943. Suitable instructions may be issued to the Civil Officer, for acting in close collaboration with the officers designated for the purpose by the Military authorities.

W 4-43-5.

CONFIDENTIAL

The reply to this communication should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

No. F.22-43/W.

730
W.

FROM

THE SECRETARY
TO THE HON'BLE THE RESIDENT IN MYSORE.

To

The Chief Secretary to the Government of
His Highness the Maharaja of Mysore,
Bangalore.

Dated Bangalore, the 16th September *1943.*

BILLETING.

SIR,

I am directed to refer to your letter No.Pol.274/War, dated the 6th August 1943.

2. Headquarters, 160 L of C Sub Area state that, whilst the Sub Area Commander does not at the moment intend to proceed further in the matter of billeting, he is anxious that the machinery should be ready, should it be necessary to put it into operation at short notice in the future. I am therefore to suggest that action may kindly be taken in the matter in the shape of appointing a Billeting Officer.

War

CHIEF SECRETARY
17 SEP 1943
T OF MYSORE.

I have the honour to be,
Sir,
Your most obedient servant,

SECRETARY TO THE RESIDENT.

CAN

Appendix F. G.—1]

SUBJECT.....

.....

.....

Section War

File No. 7-43

Secret Serial No. 6.

Diary No. of letter replied to.....

No. Col 683

To The Secy to the Govt of Sind & Baluchistan

Bolleting

General and Revenue Secretariat

( )

the *194* .

Sir,

Date of issue... 1.10.1943

With ref to your letter No F. 2243/W dated 16th Sept. 40 on the above subject. I am directed to enclose herein for information a copy of the order issued by the Govt of India

Signed by... Mr. S. K. V

Hqrs Q.

I have

the honour

to be

Sir

Your most obedient

servant

for Secy to the Govt

List of enclosures.....

Copied by.....

Examined by.....

WD 04161—GPB—60,000—24-10-41